IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Josephus Kuster § Group Art Unit: 2661

Filed: August 20, 2000 § Confirmation No: 8547

Attorney Docket No: P11832/64645-1025

Customer No.: 27045

For: System for Media Gateway to Media Gateway Address Information Exchange

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1460 I highly certify that this correspondence in being deposited with the United State Potenti Service with sufficient postage for First class or Experise mail in an envelope addressed to Commissioner for Patients P.O. Eox 1469. Alexandria: AVX 22312-1450, or being faculated transmitted to the USPTO at 1571 273-4500 or being transmitted via EFS-VVen (Bera) on the date surficience below.

CERTIFICATE OF MAILING OR TRANSMISSION

Date: February 21, 2006

Name Pamela C. Shultz

Signation: ___

Dear Sir:

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. 1.181

It is respectfully requested that the USPTO withdraw the holding of abandonment and continue examination of this application. The application was abandoned by the USPTO for Applicant's failure to timely file a response to the Office Action dated 14 June 2005. The Applicant contends that this application is, in fact, not abandoned. The facts relating to the abandonment of this application are as follows.

- 1. An Office Action was mailed by the USPTO on 14 June 2005.
- The Applicant timely submitted a Response to Office Action to the USPTO by Facsimile to 571-273-8300 on 13 September 2005. A copy of this submitted is

enclosed herewith, along with the USPTO Auto-Reply Facsimile Transmission receipt dated 13 September 2005. (Enclosure A)

A Notice of Abandonment was issued by the USPTO on 24 January 2006.
 The notice stated that the Applicant failed to respond to the Response to Office Action dated 14 June 2005. (Enclosure B)

The Applicant contends that a response was timely filed with the USPTO and the USPTO's Auto-Reply Facsimile Transmission receipt is proof that the USPTO received the response in a timely manner. The Applicant further contends that no petition fee is due since the response was misplaced by the USPTO

For all the above reasons, the Applicant respectfully requests that the USPTO withdraw the holding of abandonment and continue examination of this application.

Respectfully-submitted.

Registration No. 41.403

Date: February 21, 2006

Ericsson Inc 6300 Legacy Drive, M/S EVR 1-C-11 Plano, Texas 75024

(972) 583-7686 johr. han@ericsson.com



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Attorney Docket No.: P11832-US1

September 13, 2005

Via Facsimile 571-273-8300

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Defe: September 13, 2005

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Reciseks Windo

Re: Patent Application for:

"System for Media Gateway to Media Gateway Address Information Exchange" Serial No. 09/643,324

Attorney Docket No P11832-US1

Dear Sir.

Enclosed for filing please find the following items relating to the above-identified application:

- (1) Amendment Transmittal Letter (1 page); and
- (2) REPLY UNDER 37 C.F.R §1,111 (12 pages).



September 13, 2005

Via Facsimile 571-273-8300

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Melissa Wm:

Re:

Patent Application for:

"System for Media Gateway to Media Gateway Address Information Exchange" Serial No. 09/643,324

Attorney Docket No. P11832-US1

Dear Sir:

Enclosed for filing please find the following items relating to the above-identified application:

- (1) Amendment Transmittal Letter (1 page); and
- REPLY UNDER 37 C F.R §1.111 (12 pages).

The commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1379.

Should you have any questions or comments concerning this matter, please feel free to contact the undersigned at 972/583-3656.

Sincerely,

Sthey L. Westhirford Sidney Weatherford Rea No. 45,602

SLW/mw

EUS/JP/05-3211

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Josephus Kuster, et al

Dockel No. P11832-US1

Application No. Filma Oate Eventime Customer No. Group Art Unit. Confirmation No. 8547 09/643,324 68/20/2066 Joshus A Kading 27045 2661

invention: System for Media Gateway to Media Galeway Address Information Exchange

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

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 - 23 Anv additional filing fees required under 37 C.F.R. 1,16.
 - Anv patent application processing fees under 37 CFR 1.17.

Sidney L. Weatherford

Reg No. 45,802

Eriespon Inc.

8360 Legacy Onve. M/S.EVR 1-C-11

Plane, TX 75024

Dated. September 13, 2605

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Melissa Wingo

September 13, 2005

Depustions's Name and Date

Appl No. 09/543,224
Amat. Dated September 13, 2045
Reply to Office edition of June 14, 2005
Attaining Cocker No. P11832-US1
EUS/JPP/05-3211

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Josephus Kuster, et al

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Group Art Unit: 2661

Serial No.: 09/643 324

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Examiner: Joshua A Kading

Filed: August 20, 2000

Confirmation No: 8547

Attorney Docket No: P11832-US1

Customer No.: 27045

For: System for Media Gateway to Media Gateway Address Information Exchange

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Date: September 13, 2005

Name: Melissa Wingo

Signature: WELLING WHIP

Dear Examiner:

REPLY UNDER 37 C.F.R §1.111

In response to the Office Action of June 14, 2005, the Applicants (or collectively "the Applicant") submits the following amendments and remarks.

Claims 21, 22, 30, 32, 36 and 40 have been amended and begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

Appl. No. 09/543-224 Arrott, Dated September 13, 2065 Reply to Office action of June 14, 2005 Attorney Docket No. P11832-US1 EUG/JP98-3211

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-20. (Cancelled)

21. (Currently Amended) A method for establishing a packet communications link within a packet based communication network having a first call control server communicating with a first media gateway and a second call control server communicating with a second media gateway wherein said first media gateway provides a communication link to a calling party terminal and said second media gateway provides communication link to a called party terminal, in response to a circuit switched call setup message, comprising the steps of:

providing a controlling signal from said first call control server to said first media gateway for establishing a first termination point for connecting said first media gateway with said calling party terminal wherein said first media gateway further connecting said calling party terminal communicating circuit switched data to said packet based communications network.

generating a circuit switched call setup message from said first call control server to said second call control server associated with said called party terminal, said call setup message further including identification data associated with said first media gateway;

providing a controlling signal from said second call control server to said second media gateway for establishing a second termination point for connecting said second media gateway with said called party terminal wherein said second media gateway further connecting said called party terminal communicating circuit switched data to said packet based communications network wherein said controlling signal from said second call control server further includes the identification data associated with said first media gateway; and

Appl. No. 08/543, 224 Amid: Dated September 18, 2505 Reply to Office action of June 14, 20/5 Attorney Dackel No. P11832-US1 EUSCAPP09-3211

establishing a third termination point on said first media gateway and a fourth termination point on said second media gateway for establishing a direct call specific packet communication link from said second media gateway to said first media gateway using said identification data associated with said first media gateway for communicating data between said calling party terminal and said called party terminal

- 22. (Currently Amended) The method of Claim 21 wherein the establishment of the first termination point further comprises the establishment of the [[a]] third termination point within said first media gateway for communicating packet data with said second media gateway.
- 23. (Previously Presented) The method of Claim 22 wherein the establishment of the third termination point further comprises issuance of a response containing the information associated with the address of the third termination point from the first media gateway to the first call control server.
- (Previously Presented) The method of Claim 23 wherein said third terminal point comprises a UDP port number associated with said first media gateway
- 25. (Previously Presented) The method of Claim 23 wherein said third terminal point is further communicated from the first call control server to said second call control server within said generated call setup message.
- 26. (Previously Presented) The method of Claim 21 wherein the generation of a call setup message from said first call control server to said second call control server comprises transmitting a call setup message over a circuit switch network connection.
- (Previously Presented) The method of Claim 26 wherein said call setup message comprises an ISDN User Part (ISUP) signal.

Appl. No. 03/943,264 Amdi, Dated September 13, 2005 Reply to Office action of June 14, 2006 Attorney Docket No. P118/124/S1 E1/SUPPRIS.2244

- 28. (Previously Presented) The method of claim 21 wherein said controlling signal from said first call control server to said first media gateway uses H.248 protocol over a packet communication link.
- 29. (Previously Presented) The method of Claim 21 wherein the establishment of the second termination point further comprises the establishment of a fourth termination point within said second media gateway for communicating packet data with said first media gateway.
- 30. (Gurrently Amended) The method of Claim 29 wherein said establishment of said communication link <u>further comprises</u> comprises—the step of establishing a third termination point within said first media gateway and further <u>sending</u> address and <u>UDP information associated with said third termination point on said first media gateway to said second media gateway via said first call control server and <u>said second call control server for</u> establishing [[a]] the call specific communication link from said second media gateway to said first media gateway using said fourth termination point and said third termination point as two terminating addresses.</u>
- (Previously Presented) The method of Claim 21 wherein the issuance of said controlling signal from said first call control server to said first media gateway comprises the issuance of an ADD message.
- 32. (Currently Amended) A packet based communication network including a first media gateway for communicating with a first party terminal, a first call control server for controlling said first media gateway and a second media gateway for communicating with a second party terminal, and a second call control server for controlling said second media gateway, said packet based communication network comprises:

Appl. No. 09/643,274 Anvit. Dated September 13, 1006 Pepty to Office action of June 14, 2005 Allothey Bocket No. P#1832-451 EU9/JPM/6-3211

and

means within said first call control server for instructing said first media gateway to establish a first termination point for communicating with said first party terminal wherein said first media gateway receiving circuit switched data from said first party terminal and for establishing a second termination point for communicating packet data, including circuit switched data received from said first party terminal, with said second media gateway over said packet based communication network in response to receiving a call setup request from said first party terminal towards said second party terminal; and

means within said first call control server for generaling a circuit switched based call setup message towards said second call control server wherein said call setup message includes identification data associated with said second termination point, and means within said second call control server for providing a controlling signal to said second media gateway for establishing

a third termination point for communication with said second party terminal

a fourth termination point for establishing a direct call specific packet communication link from said second media gateway to said first media gateway using said identification data associated with said first media gateway.

- 33. (Previously Presented) The first call control server of Claim 32 wherein said means for generating said call setup message generates an ISDN User Part (ISUP) signal over a circuit switch network connecting said first call control server with said second call control server.
- 34. (Previously Presented) The ISUP signal of Claim 33 further comprising UDP information associated with said second termination point within said first media gateway.

Appl No. 08/943,224 Arndt, Dated September 13, 2005 Repty to Office action of June 14, 2005 Attainey Docker No. P11832-US1 W183/Demiss214

35. (Previously Presented) The packet based communication network of claim 32 wherein said means within said first call control server uses H.248 protocol over a packet based link for instructing said first media gateway.

36. (Currently Amended) A method for establishing a communications link between a first party terminal and a second party terminal within a packet based communication network having a first call control server communicating with a first media gateway and a second call control server communicating with a second media gateway wherein said first media gateway provides a communication link to said first party terminal and said second media gateway provides communication link to said second party terminal, in response to a call setup message, said method comprises the steps of:

receiving a circuit switched based call setup message at said first call control server eenter for establishing a communication link from said first party terminal to said second party terminal;

instructing said first media gateway from said first call control <u>server</u> eenter to establish a first termination point for communicating with said first party terminal and a second termination point for communicating with said second party terminal wherein said first media gateway further communicating packet data including circuit switched data received from said first party terminal over said packet based communication network; and

transmitting by said first call control server a circuit switched call setup message towards said second call control server earlier serving said second party terminal wherein said call setup message further includes data identifying said second party terminal and said second termination point enabling said second call control server to instruct said second media gateway to establish

a call specific packet communication link directly with <u>between a third</u> <u>termination point within said second media gateway and</u> said second termination point within said first media gateway using said identification data.

Appl. No. 09/643-234 Anvid. Dated September 15, 2005 Reply to Office action of June 14, 2005 Allomay Docket No. P11653-4391 FUSAPP05-3211

- (Previously Presented) The method of Claim 38 wherein said call setup message transmitted by said first call control server comprises an ISDN User Part (ISUP) signal.
- 38. (Previously Presented) The method of Claim 36 wherein said second termination point includes a UDP information with said second termination point within said first media gateway.
- 39. (Previously Presented) The method of Claim 36 wherein said second media gateway establishes a call specific packet communication link towards said first media gateway using said second fermination point as the destination address.
- 40. (Currently Amended) The method of Ctaim 36 wherein said step of instructing uses H.248 protocol over a packet based communication link between said first call control server center and said first media gateway.

Appl. No. 99/543,224 Armit Dated September 13, 2005 Reply to Office action of June 14, 2005 Attorney Docket No. P11832-US1 CUSURPIOS-3211

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 21, 22, 30, 32, 36 and 40. The Applicant respectfully submits no new matter has been added. Accordingly, claims 21-40 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Examiner Objections - Claims

Claims 21, 32 and 36 were objected to because of informalities. The Applicant appreciates the Examiner's thorough review of the claims. The Applicant has amended the claims as suggested by the Examiner in order to correct the informalities. The Examiner's consideration of the amended claims is respectfully requested.

Claim Rejections - 35 U.S.C. § 102(e)

The Examiner rejected claims 21-23, 25-27, 29-33, 36, 37 and 39 under 35 U.S.C. § 102(e) as being anticipated by US patent 6,717,939 to McGrew. The Applicant respectfully traverses the Examiner's rejection and submits the following remarks for the Examiner's favorable reconsideration.

As noted in the Applicant's previous response, the present invention provides a system and method for establishing a direct packet-based connection between two separate media gateways without relying on intervention or relay by other infrastructure elements. More specifically, the present invention provides a direct, per-call information exchange between two distinct media gateways wherein a first call control server controlling the first media gateway communicates identification data associated with the first media gateway over to a second call control server controlling the second media gateway. A circuit switched call setup message is sent towards a second call control server associated with the called party terminal wherein the generated circuit switched call setup message further includes identification data associated with the first media gateway. In other words, rather than going through the packet based network to process the call setup signal, the first call control server instead uses the circuit.

Appl. No. 098/40.224 Amer. Dated September 13, 2075 Reply to Office action of June 14, 2075 Allomey Docket No. P118324251 EUS/APPCS-3211

switched call setup signal to communicate with the second call control server (Fig. 1, ISLIP links between the two UMSCs).

Furthermore, in accordance with the teachings of the present invention, the second call control server provides a controlling signal instructing the second media gateway to establish a second termination point for connecting with the called party terminal. After establishing a second termination point, the second media gateway then establishes a call specific packet communication fink from a termination point within the second media gateway direct to the second termination point within the first media gateway using the provided identification data. Data between the calling party terminal and the called party terminal can then be communicated directly between the media gateways over the established call specific packet communication link. As further claimed by dependent Claim 27, the circuit switched based call setup message generated by the first call control server is an ISUP signal.

The McGrew reference appears to disclose a virtual transport server (VTS) for use in a telecommunication server to set up a virtual circuit connection through a packet network using packet circuit gateways. Call setup messages are received by a VTS and the VTS communicates with a second VTS on the receiving side of the packet network via the packet network. The VTSs each notify a respective packet circuit gateway connecting each circuit network to the packet network and the respective packet circuit gateways set up a circuit through the packet network.

The Applicant respectfully directs the Examiner's attention to two elements of amended independent claim 21

generating a circuit switched call setup message from said first call control server to said second call control server associated with said called party terminal, said call setup message further including identification data associated with said first media galeway; (emphasis added)

and

establishing a third termination point on said first media gateway and a fourth termination point on said second media gateway for establishing a direct call specific packet communication link from said second media gateway to said first media gateway using said identification data associated with said first media

Appl No. 09/543/224 Amed: Dated September 13, 2005 Repty to Office action of June 14, 2005 Attorney Docket Ng. P11832-US1 EUS/UF/665-3211

gateway for communicating data between said calling party terminal and said called party terminal (emphasis added)

Applicant respectfully asserts that the emphasized limitations above (from claim 21) are not found in the McGrew reference. McGrew does not appear to establish termination points on each media gateway for the call specific communication link after establishing connections with the calling party and the called party. As noted above, McGrew signals the VTS <u>librough the packet network</u> and in contrast, the Applicnt's invention generates a circuit switched call setup message, including identification data associated with the first media gateway. The Applicant respectfully submits that McGrew fails to anticipate or render obvious each and every step as currently recited by independent claim 21. The Applicant respectfully requests the withdrawal of the rejection of claim 21 and the respective dependent claims 22-23, 25-27, and 29-30.

Claims 32 and 36 are analogous to claim 21 and contain similar limitations to the limitations in claim 21. This being the case the Applicant respectfully requests the withdrawal of the rejection of claims 32 and 36 and the respective dependent claims 33, 37 and 39.

Claim Rejections - 35 U.S.C. § 103 (a)

Claims 24, 34 and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McGrew in view of Elliot et al. (US Patent 6.614,781 B1). The applicant respectfully traverses the rejection of these claims.

The Elliott reference appears to disclose a system and method for communicating voice and data through a data network from and to any legacy networks. Elliott is cited for disclosing information associated with a second termination point within the first media gateway is UDP information. However, the Elliott reference fails to supply elements missing in the McGrew reference that are found in claims 24, 34, and 38 by virtue of dependence on the respective independent claims. The missing elements as noted above are: generating a <u>circuit switched</u> call setup message between call control servers and establishing termination points on each media gateway for the

Appl No UNID43,224 Amdi, Celed September 13, 2005 Peppy to Office action of Jame 14, 2005 Alliominy Dicklet No. P.11333-US I BLIC/UPAIS-2211

call specific communication link after establishing connections with the calling party and the called party.

Claims 28, 35 and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McGrew in view of Christie (US Patent 6,754,180 B1). The Applicant respectfully traverses the rejection of these claims

The Christie reference appears to disclose a system and method for supporting bearer path services in a packet data network. Christie provides intermediate media gateway controllers with H.248 control reach through capability to a media gateway in the bearer path. However, the Christie reference fails to disclose the elements missing from the McGrew reference. As noted above, the missing elements are: generating a circuit switched call setup message between call control servers and establishing termination points on each media gateway for the call specific communication link after establishing connections with the calling party and the called party. This being the case, the Applicant respectfully requests the withdrawal of the rejection of claims 28, 35 and 49.

Appl. No. 05843.224 Arnet, Dated September 15, 2005 Reply to Office action of June 14, 2005 Sharney Docket No. P\$1835-US1 EUGUM/DB:3211

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

By Signey L. Weatherford Registration No. 45.602

Ericsson Inc. 6300 Legacy Drive, M/S EVR 1-C-11 Plano, Texas 75024

(972) 583-8656 sidney.wealherford@ericsson.com





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Due: 2-34-01e

Initials: 0-5

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(a) (2) No reply has been recovers. Mr. Pysher Confirme 2. [] Applicant's failure to sinely pay the required issue f	s the aboutor	ment on 1/19/06.	
from the mailing date of the Notice of Allowance (P	TOL-85).		
 (a) The issue fee and publication fee, if applicable 			
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(c) \square The issue tee and publication fee, if applicable.	has not been received.		
3 [] Applicant's failure to timely file corrected drawings a Allowability (PTO-37).	is required by, and within the five	e-month period set in, the Notice of	
 (a) Proposed corrected drawings were received on after the expiration of the period for reply. 	(with a Certificate of Mailin	ny or Transmission dated), which is	
(b) [] No corrected drawings have been received.			
 The letter of express abandonment which is signed the applicants. 	by the altorney or agent of record). The assignoe of the entire interest, or all	oi
5 The letter of express abandonment which is signed 1.34(a)) upon the filing of a continuing application.	by an altomey or agent (acting in	i is representative capacity under 37 CFR	
 The decision by the Board of Patent Appeals and in of the decision has expired and there are no allows 			Velv
7, ☐ The reason(s) below:		Char T. Africa	
S. Hyun		CHORCAROUS GOTTEST CARRIES.	
1/20/06	;	TECHNOLOGY CENTER 2600	

Peliffors to revive under 37 CFR 1 137(e) or (b), or requirels to withdraw the holding of obserdoment what 37 CFR 1 181, should be promotly lied to indimite any negative effects on palent term.

15 Face and Reviews Otto:

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